REMARKS

This application has been reviewed in light of the Office Action dated March 10, 2010. Claims 1–6 and 8–21 are pending in the application. New claim 21 has been introduced including the subject matter of claims 1 and 7. Claim 7 has been canceled without prejudice. No new matter has been added, and no amendments have been made which would require additional consideration. The Examiner's reconsideration of the rejection in view of the amendments and the following remarks is respectfully requested.

Preliminarily, Applicant notes with appreciation the Examiner's determination that claims 7, 9, 13, and 19 include patentable subject matter. The Examiner objects to these claims as depending from rejected base claims. New claim 21 represents a combination of claims 1 and 7 and therefore should be immediately allowable. Furthermore, because Applicant believes that the base claims in this case are patentable for the reasons described below, it is respectfully asserted that this objection is moot.

Claims 1–6, 8, 10–12, 14–18, and 20 stand rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Publication No. 2002/0059434 to Karaoguz et al. (hereinafter "Karaoguz") in view of U.S. Patent No. 5,903,832 to Seppanen et al. (hereinafter "Seppanen").

Claim 1 recites, *inter alia*, "memory which stores information associating networks with individual user operations which can be performed on each network using the transceiver." Claim 10 recites analogous language in its "configuring" step.

The Examiner states that the present rejection is not, at all, based on Seppanen teaching the feature of storing an association between an operation and a network. The Examiner asserts instead that Seppanen teaches that a memory can be used to store received data/messages for later retrieval and display.

It is respectfully pointed out to the Examiner that claims 1 and 10 do not recite storing data or messages for later retrieval and display. It is further pointed out that, as noted above, claims 1 and 10 explicitly recite storing information that associates user operations with networks. This element *must* be accounted for in order to form a prima facie rejection based on obviousness.

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The Examiner explicitly concedes that Karaoguz does not disclose a memory which stores such association information. The Examiner now asserts that Seppanen is not being introduced to cure that deficiency.

The Examiner goes on to state:

[I]t would have been obvious for one skilled in the art to implement Karaoguz et al, as taught by Seppanen et al, in such a way that after the messages are received by the mobile device, the memory would store information associating identified networks with individual user-operations/network-services, which can be performed on each network, (when selected and permitted), using the transceiver, for later retrieving to display the information as the displayed message(s) on the display to a user, so that displayed message(s) would be obtained, as required and expected.

Applicant respectfully points out that the above logic is impermissible hindsight analysis. By the Examiner's own admission, neither of the cited references teaches the feature of storing information associating networks with individual user operations. The Examiner's assertion, that it would have nonetheless been obvious to store such association information, simply is not based on any teaching or suggestion in the prior art, nor does the above-quoted passage provide any rationale for why such a feature would be obvious without having the benefit of the teachings of the present specification. Such reasoning cannot form the basis for a prima facie case of obviousness.

It is respectfully asserted that Karaoguz nor Seppanen, taken alone or in combination, fail to disclose or suggest storing information associating networks with individual user operations. It is therefore believed that claims 1 and 10 are in condition for allowance. Claims 2-6, 8-9, and 11-20 depend from claims 1 and 10 and include all of the elements of their parent claims. It is therefore believed that all of claims 1-6 and 8-20 are in condition for allowance.

The Examiner is strongly encouraged to reconsider and withdraw the present rejection, as it has not established a prima facie case for obviousness.

New claim 21 has been introduced, combining the subject matter of claims 1 and 7. Because this claim merely represents claim 7 being rewritten to include all of the

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elements of claim 1, based on the Examiner's statements it is believed that claim 21 should be allowable. Furthermore, because claims 1 and 7 had been fully examined, there should be no barrier to allowing this after-final addition of a new claim.

In view of the foregoing amendments and remarks, it is respectfully submitted that the claim now pending in the application is in condition for allowance. Early and favorable reconsideration of the case is respectfully requested.

It is believed that no additional fees or charges are currently due. However, in the event that any additional fees or charges are required at this time in connection with the application, they may be charged to applicant's Deposit Account No. 07-0832.

Respectfully submitted,

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Date: __5-20-10__   By: _____

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